

Amendment
Application No. 10/689,525
Attorney Docket No. 032036

REMARKS

Claims 1-6 are pending in the present application. Claim 3 is currently amended.
Applicant gratefully acknowledges that claim 5 is allowable.

Claim Rejections - 35 U.S.C. § 112

Claims 3, 4/3 and 6/3 were rejected under 35 U.S.C. § 112, second paragraph. The Office Action states that the limitation “wherein said light emitting element is formed out of said receiving member as a glass-like scatterer” recited in claim 3 is unclear in view of Figs. 1 and 3.

Claim 3 has been amended for clarity.

Withdrawal of the rejection is requested.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 2, 4/1, 4/2, 6/1 and 6/2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Aoyama** (U.S. Patent 5,194,743) in view of **Hattori** (U.S. Patent 5,361,121).

The Office Action cites Fig. 17 of Aoyama for disclosing elements of the claims. (Office Action, page 3.) Fig. 17 is a positioning device having a wafer chuck turn table 102. Table 102 has vacuum attraction grooves 102a drawing a wafer W to the surface of table 102. The device has an XY-stage 100 for positioning along the X and Y axes, and a $\Delta\theta$ stage 101 for rotational positioning. (Col. 1, lines 46-55.) The device has a shape measuring sensor 103 for detecting the position of the wafer edge. The shape measuring sensor 103 includes a line image sensor 111.

The Office Action acknowledges that Aoyama does not disclose that “a receiving member is provided outside said table and is positioned on the generally same plane as said loading plane; and the periphery of the receiving member has a plane configuration so as to come to a position further outside the periphery of the work.” (Office Action, page 3.) However, the Office Action cites Hattori for disclosing this feature.

Hattori discloses a periphery exposing device. The device has a turntable 1 which supports a wafer 2 by suction. The turntable 1 is rotated by a motor 3. Hattori discloses an irradiating unit 4 comprising an exposing light beam 6 and a light receiving unit 8. The light receiving unit receives light through an inclined beam splitter 9. (Col. 2, lines 53-65.)

Applicant respectfully submits that Aoyama in view of Hattori does not disclose that “a receiving member is provided outside said table and is positioned on the generally same plane as said loading plane” as recited in claim 1.

The Office Action cites Hattori, Fig. 1, reference number 9 as corresponding to the receiving member. (Office Action, page 3.) Reference number 9 is a beam splitter. Beam splitter 9 may be positioned “outside said table,” but beam splitter 9 is in an inclined position relative to turntable 1. (Col. 2, lines 53-65; Fig. 1.) Thus, beam splitter 9 cannot be generally in the same plane as turntable 1.

Therefore, Aoyama in view of Hattori does not disclose the elements as recited in claim 1.

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For at least the foregoing reasons, claim 1 is patentable over Aoyama in view of Hattori, and claims 2, 3, 4 and 6 are patentable by virtue of their dependence from claim 1.

Accordingly, withdrawal of the rejection of claims 1, 2, 4/1, 4/2, 6/1 and 6/2 is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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